

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

JEFFREY D. LEISER

Plaintiff,

v.

KAREN KLOTH, et al.,

Defendants.

ORDER

Case No. 15-cv-768-slc

Pro se plaintiff Jeffrey D. Leiser has moved to dismiss defendants' notice of appeal, arguing that defendants' appeal is frivolous and a bad faith response to plaintiff's rejection of defendants' settlement offer. *See* dkt. 66. It appears that plaintiff takes issue with my order granting defendants' motion to stay this proceeding pending resolution of their interlocutory appeal. (Dkt. 65.)

I am denying plaintiff's motion for two reasons. First, this court has no authority to dismiss defendants' notice of appeal. Second, even if I construe plaintiff's motion as a request to deny defendants' motion for a stay, I already have found that defendants' pending appeal is not frivolous, so a stay of this lawsuit pending resolution of that appeal is appropriate. Plaintiff's allegations about the unsuccessful settlement attempts are not a reason to reconsider that ruling.

ORDER

IT IS ORDERED that plaintiff's motion to dismiss notice of appeal (dkt. 66) is DENIED.

Entered this 29th day of November, 2017.

BY THE COURT:

/s/

STEPHEN L. CROCKER

Magistrate Judge